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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------------------------------------------------------|-------------|----------------------|----------------------|------------------|
| 09/988,753 | 11/20/2001 | Toshio Yamagiwa | 0505-0904P | 9105 |
| 2292 | 7590 | 11/19/2004 | EXAMINER | |
| BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | GOINS, DAVETTA WOODS | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2632 | |

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/988,753 | YAMAGIWA ET AL. | |
| | Examiner | Art Unit | |
| | Davetta W. Goins | 2632 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 21 July 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 3-9,11,12 and 15-18 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 7-9,11 and 12 is/are allowed.

6) Claim(s) 3-6 and 15-18 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 3-6 and 15-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 3 and 15 claim “an end of a hollow member being operatively connected to said air valve” and “wherein said hollow member (harness) is used as at least one spoke of said wheel portion.”. This claimed limitation is contradictory to the specification since the spoke is part of the wheel that connects to a nipple “48” and not the valve “47” as shown in Figures 1-9. Specifically, Figure 9 shows that the claimed “hollow member” of the only goes through part of a spoke and then the harness 83 extends out of the spoke and meets with the valve 47. Therefore, the hollow member is not the same as the claimed “at least one spoke of said wheel”, but is only “part of” the at least one spoke.

Allowable Subject Matter

3. Claims 7-9, 11, and 12 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter: Cormier, Sr. (US Pat. 6,011,463) discloses a tire air pressure monitoring system including an air pressure sensing system 5 that includes a hose 30 that connects to a tire valve 20. The hose 30

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supplies air pressure to the rim wheel transmitter 10, attached to the hub of the wheel. After the transmitter 10 determines that there is an abnormal amount of tire pressure detected, a signal will be transmitted from the transmitter 10 to a receiving unit 100. Cormier does not disclose the claimed pressure sensor mounted to the valve with a hollow member extending to a detecting and transmitting unit attached to the hub of the wheel. The sensor attached to the valve and the detecting and transmitting unit attached to the hub of the wheel allows for an increase in accuracy of detected air pressure as well as ensure that the warning device that does not largely affect the dynamic balancing of the wheel.

5. Applicant's arguments with respect to claims 3-9, 11, 12, and 15-18 have been considered.

but are moot in view of the new ground(s) of rejection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**DAVETTA W. GOINS
PRIMARY EXAMINER**



D.W.G.
November 12, 2004

Davetta W. Goins
Primary Examiner
Art Unit 2632